

TES 27plus

Rec'd PCT/PTU Docket No. WEM-07691 24 FEB 2003

## DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### MEASURING AND SENSOR ASSEMBLY FOR DETERMINING A CHARACTERISTIC OF A FLUID AND METHOD FOR OPERATING THE SAME

the specification of which (check one):

( ) is attached hereto.

(X) was filed on December 19, 2002 as PCT International Application Number PCT/EP02/14585.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulation, § 1.56. I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate disclosing the subject matter claimed in their application and having a filing date (1) before that of the application on which priority is claimed, or (2) if no priority is claimed, before the filing date of this application.

#### Prior Foreign Application(s)

Number	Country	Day/Month/Year Filed	Priority Claimed
<u>102 02 002.7-52</u>	<u>Germany</u>	<u>January 17, 2002</u>	(X) Yes ( ) No
			( ) Yes ( ) No

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States application(s) listed below and PCT International Applications listed above or below, and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

(Application Number)	Day/Month/Year Filed	Status (Patented, Pending, Abandoned)
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I hereby appoint the practitioners associated with Customer Number 26339 as attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Address all telephone calls to Donald W. Muirhead at telephone number (617) 248-4038. Address all correspondence to:

Patent Group  
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's signature [Signature] Date 28.07.2004

Full name of sole or first inventor (given name, family name) Mike MUHL

Residence Stürtzelstraße 3a, 79106, Freiburg, GERMANY DEX Citizenship German

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Inventor's signature [Signature] Date 1.8.2004

Full name of sole or first inventor (given name, family name) Jürgen HALL

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( ) Additional inventors are being named on separately numbered sheets attached hereto.

## AMENDMENT TRANSMITTAL LETTER

 Pocket Number  
WEM-07601

 Application Number  
10/501,578

 Filing Date  
July 14, 2004

 Examiner  
To be assigned

 Group Art Unit  
To be assigned

Invention Title

**MEASURING AND SENSOR ASSEMBLY FOR DETERMINING A CHARACTERISTIC OF A FLUID AND METHOD FOR OPERATING THE SAME**

## TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application, including:

- (X) Preliminary Amendment (11 Pages);
- (X) Response to Notice to File Missing Requirements (in duplicate) and check for \$260.00;
- (X) Copy of Notice to File Missing Requirements;
- (X) Executed Declaration and Power of Attorney;
- (X) English Translation of PCT Application (12 Pages);
- (X) Information Disclosure Statement (in duplicate);
- (X) Form PTO-1449;
- (X) Copies of References cited in IDS;
- (X) Copy of International Search Report; and
- (X) Postcard Receipt.

## CLAIMS AS AMENDED

(1)			(2)		(3)	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT NUMBER EXTRA	RATE	FEE
TOTAL CLAIMS	26	Minus	20	6	X \$50	\$300.00
INDEPENDENT CLAIMS	4	Minus	3	1	x \$200	\$200.00
MULTIPLE DEPENDENT CLAIM ADDED					\$360	
					TOTAL	\$500.00
If applicant has small entity status under 37 CFR 1.9 and 1.27, then divide total fee by 2, and enter amount here.			SMALL ENTITY TOTAL			\$

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

\*\* If the highest number previously paid for IN THIS SPACE is less than 20, enter "20."

\*\*\* If the highest number previously paid for IN THIS SPACE is less than 3, enter "3."

The "highest number previously paid for" (total or independent) is the highest number found in the appropriate box in column 1.

- ( ) Please charge **Deposit Account Number 03-1721** in the amount of \$\_\_\_\_\_. A duplicate copy of this sheet is enclosed.
- (X) A check in the amount of **\$500.00** is enclosed to cover the filing fee,
- (X) Please credit any overpayment and/or charge any additional filing fees required under 37 CFR §§ 1.16 and 1.17 to our **Deposit Account Number 03-1721**. A duplicate copy of this sheet is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 22, 2005.

Tracey A. Newell

 Reg. No. 47,499  
Donald W. Muirhead, Reg. No. 33,978

 February 22, 2005  
Date